

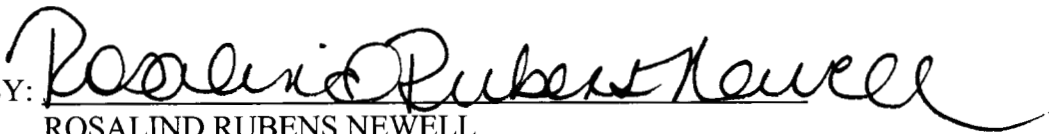
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CL 00L0539 - GWENDOLYN BURNS

CLAIM OF: **JEFFERY L. HENSAL**
2315 Bankhead Highway
Atlanta, Georgia 30318

00- *R*-1604

For vehicular damages alleged to have been sustained when a tree limb fell on top of claimant's vehicle on August 14, 2000 at 2315 Bankhead Highway.

THIS ADVERSED REPORT IS
APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0539

Date: September 28, 2000

Claimant /Victim JEFFERY L. HENSAL
BY: (Atty) (Ins. Co.) _____
Address: 2315 Bankhead Highway, Atlanta, Georgia 30318
Subrogation: _____ Claim for Property damage \$ 2,869.72 Bodily Injury \$ _____
Date of Notice: 8/25/00 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 8/14/00 Place: 2315 Bankhead Highway
Department PARKS, RECREATION & CULTURAL AFFAIRS Division PARKS
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that his vehicle sustained damage from limbs that fell from a tree located on City property. However, an investigation determined that the Parks division did not have record of any complaint or of performing any type of tree work at the referenced location prior to claimant's incident. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

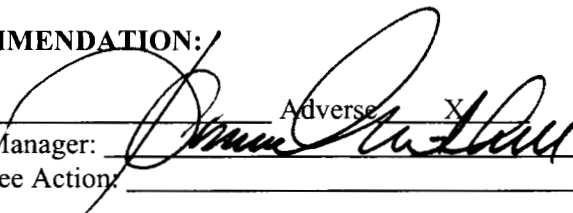
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 09.28.00
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 8/18/00

BURNS
09/05/00
Am

Dear Municipal Clerk:

ENTERED - 9-6-00 - SB

00L0539 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 2869.72 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 8/14/00
(month/day/year)
2. Police called: X
Yes No
3. Location of incident: 2315 BANKHEAD Hwy Zone ONE Precinct
4. Name of your insurance company: _____ Policy No. _____
5. State what and how incident occurred: PERSONAL VEHICLE PARKED IN REAR PARKING AREA WHILE AWAY AT SCHOOL DURING THIS TIME BRANCHES FROM A TREE FELL AGAINST THE VEHICLE CAUSING DAMAGE TO VEHICLE
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
- Your vehicle: Toyota 94 PBA106 TN. Driverless/Ported
(make) (year) (tag number) (driver's name)
- City vehicle: _____
(make) (City driver's name) (department/bureau)
8. Witness: Officer V. Trapi Zone one All. Police 404-799-2488
(name) (address) (telephone number)
9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Jeffrey L. Hensok
(claimant's name)

2315 BANKHEAD Hwy
(address)

Atlanta GA 30318
(city and state)

404-799-2488 403-559-1021
(work number) (home number)

00- -1604

(A) 502-6616

Police case # 002312135